

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GILES MANLEY,

Petitioner,

vs.

E.K. MCDANIEL, *et al.*,

Respondents.

3:11-CV-00256-LRH-VPC

ORDER

On April 11, 2011, plaintiff filed a motion for extension of time to file writ of habeas corpus (docket #1). Such document is insufficient to initiate a habeas corpus action in this court. As stated in Rule 1 of the Federal Rules of Civil Procedure, a civil action is commenced by filing a complaint, or in this case, a petition for writ of habeas corpus. Plaintiff's motion must be denied. Any issue as to the timeliness of a habeas petition cannot be addressed until a petition has been filed with the court.

IT IS THEREFORE ORDERED that petitioner's motion for extension of time (docket #1) is **DENIED**.

IT IS FURTHER ORDERED that the Clerk shall send to plaintiff a blank petition for writ of habeas corpus form with instructions.

IT IS FURTHER ORDERED that this action is **DISMISSED** for failure to file a petition for writ of habeas corpus.

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1 **IT IS FURTHER ORDERED** that the Clerk shall **ENTER JUDGMENT** accordingly and close
2 this case.

3 DATED this 25th day of April, 2011.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE